

Miller & Rhoads

Bath Mats, 50c and \$1.

A nice, soft, Bath Mat will add very much to the pleasure and comfort of your bath.

It's a luxury you can well afford, when the prices are so low, 50c and \$1.00.

Extra Large Turkish Towels, 25c.

Heavy White Towels, unusually large for the quality and price; also fine, red border, hemmed Bath Towels at the same price—extra large size.

Special display of Mats and Towels, Sixth Street window.

BROKEN NECK MAN BEFORE ONE JOHN

Refused to Move When So Ordered by an Officer and Goes to Jail.

SIMON'S SMOKE EXPENSIVE

Did Not Move When Told to and Had to Pay Ten—Jim Wray Fixes Own Sentence.

George Turner, the only man living with a broken neck, was the defendant before Justice Crutchfield yesterday morning and now resting quietly in the city jail in default of \$3.20, the fine and costs, for refusing to move when told to by an officer.

Turner was a negro soldier in the Philippines, and while there fell twenty feet from a pole. He landed directly on his head, and was thought to be dead for some time. But when he showed signs of life, he was treated. The physicians found that his neck was broken at the base, and didn't entertain any hopes for his recovery. But Turner kept on living, and his neck grew back into place again. It didn't knit exactly straight, but it served George all right, and while it holds it somewhat crooked, it is all right as a connection between the head and the shoulders.

"I hate to fine a broken-necked nigger, but when a policeman tells you to move, you must move," said the One John, as he imposed the fine.

A Costly Smoke.

Abraham Simons, who conducts a little confectionery store near the Reservoir, got in the fourth seat in a car, and wouldn't move to smoke. He said there were no ladies behind him, and he wouldn't get out. It cost him just for not doing what the conductor told him to do.

Jimmie Wray, a white man, who has often appeared before Justice Crutchfield, said he had been in West Virginia for four months and had not been arrested at all while there.

"Are the police any more dorellet than they are here?" queried the One John.

"No, Judge, but they are more kind-hearted," smiled in, you sentence yourself this morning. How much for you?"

"Ten days will be a plenty, Judge," sentenced Jimmie, and he turned immediately and started for the pen.

Drew His Pistol.

Willie Flounoy, a negro, who is wanted in the Hastings County as a witness, while in the Southern Railroad train while it was standing in the depot here. He had found a purse, and when the owner asked him for it, he drew a pistol and frightened the passengers. Officer Johnson got him, and he was committed to jail until Saturday, in order to give the witnesses time to appear.

Stephen Love, an ex-convict, was placed under security in the sum of \$500 for twelve months. Stephen's alleged to be guilty of housebreaking, but the officers are unable at this time to work up the case. Several days ago the negro went to the jail and became disorderly by yelling at prisoners from the outside. For one year he will reverse his position.

Alfred Lippincott, a white boy, was held until his parents could be heard from in Bristol, Penn.

APPLE OF HISTORY.

Fruit Sent to Times-Dispatch Descended from Appomattox Tree.

The Times-Dispatch yesterday received from Mr. John W. Holmes, of Barnwell, S. C., an apple, which, though of ordinary appearance viewed outwardly, is yet of such a connection and bears such a peculiar history that it is worthy of more than passing notice.

The green, pink streaked apple is closely associated with the history of the Lost Cause, in that the parent stock from which it sprang was one of the few things which the Confederates took home away from them from the fateful field of Appomattox. The parent twig from which it is descended was brought home from Appomattox by a Mr. John Hart, a Barnwell District Confederate soldier, since deceased, from the famous apple tree of the surrender. Save for the clothes he wore, it was probably the only souvenir he took away with him on that never-to-be-forgotten day. From the twig he succeeded in propagating a number of so-called Appomattox trees, which, though now two-score years old, are large and thrifty members of the apple species.

The fruit is a fine specimen of its genus, and aside from its peculiar history, is worthy of other commendation, since it is very delicious to the taste and would make a very good showing on the market.

EPPS FOR SERGEANT.

Present Sheriff Likely to Enter Field Against Mr. Smith.

Sheriff John E. Epps will, in all probability, be an opponent of City Sergeant James C. Smith at the next election. His friends are quietly working for him and are confident that he will be a good candidate for the position that is now held by Mr. Smith.

Sheriff Visits Here.

Mr. B. W. Lee, sheriff of Greensville county, Va., yesterday at the office of State Auditor.

GOVERNOR WANTS MATTER SETTLED

Asks Supreme Court to Meet and Take Up Insurance Commissionership.

HAS ASKED FOR MANDAMUS

Colonel Button Ready to Take Up Work in Event of His Appointment.

Governor Swanson seems very desirous of having the insurance commissionership matter taken up and settled as soon as possible. He has asked that the Supreme Court of Appeals convene as soon as possible in the minds of the members of the commission as to in whose hands should lie the appointment—the Corporation Commission or the General Assembly. The Bureau of Insurance was established by the late Assembly, which at the same time conferred upon the Corporation Commission control and supervision of the department in the event of its establishment.

After its refusal to confirm the appointment of Colonel Button, the commission suggested that the case be taken up by mandamus, in order that the manner of the appointment of the commissioners might be settled once for all. Mr. Button adopted the suggestion, and after due consultation with his friends decided that he would accept the position, and that the case be taken up by mandamus.

The situation, as it stands to-day, is rather awkward, and it is estimated, even which there has been so much delay, has now become more than an apparent necessity. The department is without a head, and at this time there is a likelihood that matters may come up that would demand immediate attention. Another comment of importance is that the settlement would be for all time and would do away with any future trouble along the same lines.

Attorney-General Anderson will probably present the commission in the hearing, and it is more than probable that the affair will be taken up immediately, after having held fire for so long.

Should the Supreme Court uphold the case for the Corporation Commission, that body would at once appoint a commissioner; otherwise Colonel Button will receive his appointment, and will be ready to begin work at once.

Give a Benefit To-Night.

The Odd-Fellows of Richmond and Manchester will give an entertainment in the Young Men's Christian Association Hall to-night for the benefit of the Virginia Soldiers' Home. The following programme has been arranged:

Relatio solo, Master Ushary; vocal solo, Mrs. Bertha Richardson; reading, Mr. Weir; harp solo, Mr. Henry C. Reiser; harp solo, Mr. Spieker; vocal solo, Miss Ina Taylor; banjo duet, Davis and Diocetti; McNulty's Band; J. L. Dickerson; eleventh hour, Mrs. B. Davis; comic selections, Freeman and Wilson, accompanied by Miss Williams.

Held for Requisition.

Governor Swanson yesterday received a letter from the Mayor of Abingdon, informing him of the arrest in that place of a man named Gus Eller, who is wanted as a fugitive from justice in McDowell county, Va. Governor Swanson immediately issued a writ of habeas corpus for the return of the man, and that he would hold Eller for requisition.

Visit Executive Office.

Some of the visitors at the Executive office yesterday were Dr. J. W. Welsh, proprietor of the Eastern State Hospital, Williamsburg, and Mr. J. Thompson Brown, a member of the Board of Health of the Virginia Polytechnic Institute. Mr. Brown left last night to attend the hearing at the institution before the Legislature's Committee.

YARBROUGH IS GIVEN SIX MONTHS IN JAIL

Pleads Guilty to Obtaining Money Under False Pretences.

Forgery Charge Continued.

Henry F. Yarbrough, a nineteen-year-old youth, appeared in Police Court yesterday, on three serious charges, one for forgery and two for obtaining money under false pretences. Upon the latter two charges he was sent to jail for six months, three months in each case. The forgery charge was continued until the 15th of September.

Yarbrough, who is well known among the young men of "around town," cashed a check on Mr. John Doyle's for \$5. The check was signed by Mrs. E. D. Yarbrough, mother of the youth, who lives at No. 317 West Clay Street.

The other two checks were not forgeries in the strictest sense of the word. One was cashed by Dan Welsh, proprietor of the Crown Dairy Lunch Room, at Eighth and Broad Streets. Mr. H. C. Boschen cashed another check for \$10, selling the youth a pair of shoes for \$2.50, and giving him, in return for the check, \$1.15.

Yarbrough made no defense. He pleaded guilty on the two charges of obtaining money under false pretences and accepted the punishment—three months imprisonment on each charge. It is hardly probable that the forgery charge will be prosecuted after he is released. Influential friends of the young man will try to get him in the next. His uncle, a well known business man of the city, went in court yesterday morning at the young man's disgrace.

Twenty Odd Exhibits.

At the afternoon session Major Hotchkiss submitted many other exhibits.

Club Will Negotiate With City Attorney

Jefferson Club Decides to Sell Its Handsome Property on Private Basis.

Owing to the condemnation proceedings which are in prospect for all the property on the site of the old Eighth and Ninth Streets, the members of the Jefferson Club, whose handsome clubhouse is located on this block, held a called meeting last night to discuss the manner of their procedure.

The club met at the appointed hour, and after a long discussion as to the merits of each scheme, decided by a large majority to empower the Board of Governors to treat with the City Attorney on the sale of the property. As to the report in one of the afternoon papers yesterday that the club had secured an option on the property of City Treasurer James B. Pace, it was emphatically denied by Mr. Joseph A. Levy, president of the club, who said that the club had not yet decided as to the sale for its future home. The club will negotiate for temporary quarters after the removal from the present site.

The property of the club fronts ninety-six feet on Marshall Street and runs back to the alley for about a fourth of the block.

RESOLUTION OF RATE HEARINGS

Chesapeake and Ohio Railway Having Its Inning Before Corporation Commission.

DOCUMENTARY EVIDENCE

Major Hotchkiss, on Witness Stand, Files Many Exhibits.

After a ten days' recess—a recess for the lawyers and railway officials and witnesses not for the commission—the State Corporation Commission yesterday morning resumed the hearing of the freight rate case.

The Chesapeake and Ohio Railway Company had been cited to appear at 11 o'clock, and it was there by 11:15. Major Henry T. Wickham and Mr. Henry Taylor, Mr. C. E. Doyle, general manager, and Major E. D. Hotchkiss, general traffic manager, were also present.

All the members of the Corporation Commission, Messrs. Crump, Stuart and Willard, were in their seats, and the hearing was opened promptly at the appointed hour, and Attorney-General Anderson and Hon. A. Caperton Braxton were on hand to look after the interest of the Commonwealth. The large number of lawyers representing the other railways, were conspicuous by their absence, only two or three dropping in now and then.

It was the purpose of the commission to go ahead with the Chesapeake and Ohio case until Friday next, and then postpone the rate hearing until September 1st. This was deemed necessary, because the commission will be busy, or pretty busy, all the month of August, hearing the telegraph and express company cases. It is not likely that the Chesapeake and Ohio end of the rate hearing can be completed by Friday, but perhaps within a few days thereafter. The commission yesterday decided to get through with the Chesapeake and Ohio case before taking up the telegraph and express cases.

Quiet and Dull.

The hearing of yesterday, though tame as compared with several former sessions of the commissioners' court, most of the time being taken up with the introduction of documentary evidence, such as charters and amended charters of the Chesapeake and Ohio, and the charter of consolidation, extracts from the laws of Virginia, and special acts of Assembly, bearing upon the railway in general, and the Chesapeake and Ohio in particular, etc.; also with the filing of exhibits prepared by Traffic Manager Hotchkiss.

Major Hotchkiss was the only witness to take the stand yesterday, and the greater part of his oral testimony was in explanation of the exhibits he filed. All of these bore in one way and another upon the freight rates of the Chesapeake and Ohio, as compared with those of other roads, and with those proposed by the Chesapeake and Ohio. In a number of instances it was shown that the rates now charged by the Chesapeake and Ohio are lower than rates provided by the proposed classification sheet of the commission, but on the whole, the case, which one Mr. Hotchkiss has a heavy loser by the adoption of the proposed classification sheet of the commission.

Documentary Testimony.

The proceedings were opened by Mr. Wickham, who, without any ceremony or formality, took the business in hand. He first introduced documentary evidence, submitting the charter of the Chesapeake and Ohio Railway, and the charter of the Virginia Legislature, and the charters of the Chesapeake and Ohio roads of West Virginia and Kentucky; the deeds and articles of agreement by which these last-named lines were turned over to the Chesapeake and Ohio, and also the deeds and agreements under the reorganization of the Chesapeake and Ohio in 1878, also maps and profiles showing the entire system, the grades, etc.; also copies of deeds of trust and mortgages given to secure certain bonded debts.

Mr. Wickham also offered extracts from the report of the Code revisers, issued in 1899, under an act of the Virginia Legislature, Mr. Braxton suggested that the evidence be taken up in the order of the Virginia Legislature, and the charters of the Chesapeake and Ohio roads of West Virginia and Kentucky; the deeds and articles of agreement by which these last-named lines were turned over to the Chesapeake and Ohio, and also the deeds and agreements under the reorganization of the Chesapeake and Ohio in 1878, also maps and profiles showing the entire system, the grades, etc.; also copies of deeds of trust and mortgages given to secure certain bonded debts.

Major Hotchkiss on Stand.

Major E. D. Hotchkiss, general traffic manager of the Chesapeake and Ohio, was sworn in, and took the witness chair. In reply to opening questions by Mr. Wickham, Major Hotchkiss said he was perfectly familiar with the Chesapeake and Ohio system. "The Chesapeake and Ohio business," he said, "is known as the official classification, except in cases where competition necessitates other classification or exception sheets. The State Corporation Commission has been furnished with these classification and exception sheets in accordance with law."

Witness gave it as his opinion, founded on experience and practice as a railroad man, that the prevailing rates of the Chesapeake and Ohio are just and reasonable. Evidence of this nature and sensibleness is found in the fact that manufacturing interests and all other lines of business contiguous to its lines and throughout Virginia are growing and prospering. Rates on the Chesapeake and Ohio are largely adjusted by competition. The Chesapeake and Ohio has conformed strictly to the long and short haul rate inaugurated by the Interstate Commerce Commission. The rates shown by the Chesapeake and Ohio are shown to be reasonable and just by comparison with rates of other lines.

Virginia Has Prospered.

Major Hotchkiss read from a report of the Census Bureau that Virginia, since 1900 and 1905 Virginia prospered as much and as rapidly in manufactures and along general lines as other States, and this report was filed as an exhibit.

Major Hotchkiss' testimony. These were comparisons of Chesapeake and Ohio rates with rate sheets of other Southern roads, showing the Chesapeake and Ohio rates to be under many of them. Evidence of this nature and sensibleness is found in the fact that manufacturing interests and all other lines of business contiguous to its lines and throughout Virginia are growing and prospering. Rates on the Chesapeake and Ohio are largely adjusted by competition. The Chesapeake and Ohio has conformed strictly to the long and short haul rate inaugurated by the Interstate Commerce Commission. The rates shown by the Chesapeake and Ohio are shown to be reasonable and just by comparison with rates of other lines.

Twenty Odd Exhibits.

At the afternoon session Major Hotchkiss submitted many other exhibits.

Sam Bibbs Alleged to Have Stolen Mrs. Everett's Rings.

Sam Bibbs, the negro now in jail as a suspicious character, will have to face the charge of burglary when he is brought before Justice Crutchfield tomorrow morning. Detective McMahon, who arrested the negro some days ago, and at that time suspected him of some crime, has secured evidence that Bibbs is the person who stole the rings and the diamonds from Mrs. Everett, 202 East Franklin Street, and stole three handsome rings.

The detective found one of the rings yesterday. It was at a pawnshop on Seventeenth Street. He has heard from another of the Chesapeake and Ohio, and stole three handsome rings. The detective found one of the rings yesterday. It was at a pawnshop on Seventeenth Street. He has heard from another of the Chesapeake and Ohio, and stole three handsome rings.

FACE BURGLARY CHARGE.

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NEW JAIL WALLS WILL FALL TO-DAY

Henrico Supervisors So Decree, Declining All Other Propositions.

MR. MCCLAY TO SUE COUNTY

Will Ask Damages for Tearing Down Work He Claims to Have Been Properly Done.

The Board of Supervisors of Henrico county held what is called their first meeting at the courthouse yesterday at noon. Most of the time was taken up with the trouble over the cement walls of the new county jail.

At the request of the Locomotive Works the board ordered the closing of the extension of Seventh Street, this thoroughfare running through the firm's yards, and endangering the lives of those who use it. The street connects with a road, running along the works.

It was determined that either the condemned walls of the new jail must be started to be dismantled within two days or the contract between the county and the Stewart Iron Works, of Cincinnati, be annulled. This was determined upon on the adoption of a resolution offered by Mr. W. B. Fryer, chairman of the board.

Interest in the Matter.

The session, the interest in which drew many spectators, was held in the courtroom. Mr. James W. Gordon, of the law firm of Smith, Moncreaf & Gordon, represented the Stewart Iron Works, Messrs. Ragland & Glaughton, contractors, and Mr. Alexander W. McClay, subcontractor for the concrete work. Others present were Mr. W. N. Bowman, a representative of the Stewart Iron Works; Mr. Charles K. Bryant, supervising architect, and Commonwealth's Attorney Wendenburg.

The members of the board said they were ready to refute any statement that the concrete walls contained the requisite amount of cement, which is the bone of contention.

Mr. McClay, on whom the burden of judgment falls, through Mr. Gordon, submitted three propositions to the board. The first was that they arbitrate; if this could not be agreed upon, that they wait for a chemical test of the walls. The last proposition was that the walls be torn down, and if they prove upon examination below what the contract called for, Mr. McClay bear all expenses; but if they came up to the specified requirement that the county pay for the extra expense charged.

None of these propositions would the board agree, and they adjourned at 4:45 o'clock, leaving the contractors with nothing to do but to tear down the walls or turn over their contract to another firm. The board was adjourned to Henrico at 10 o'clock.

Pull Them Down and See.

Mr. McClay, when seen last night, said that the walls were built in accordance with specifications. He will begin tearing them down this morning, and will ask for a permit to use dynamite, as it will be almost impossible to get them down otherwise. He said that when they are down, he will have them tested by expert chemists, will prove that the walls are what the contract calls for, and will sue the county for the heavy loss which he must sustain.

Suit Over Rosenbach.

The suit of Crecy against Grier for specific performance of a contract for the sale of Rosenbach property in the West End, valued at \$15,000, was heard before Judge Scott in the Henrico Circuit Court yesterday. No decision was reached.

Before the Justice.

In Squire Leake's court yesterday Jesse Brown, a powerful negro, was convicted of assault and fined \$10. Randolph attacked John Tompkins, a fellow-workman, with a bar of iron at the Locomotive Works Saturday, and knocked him insensible.

Attempted Robbery.

The office of C. P. Lathrop & Company, coal dealers, at 150 East Marshall Street, was entered some time Sunday by robbers, who attempted to break open the safe, which contained a considerable sum of money, but were unsuccessful.

Amateurs Make Effort to Break Lathrop & Co.'s Safe.

The office of C. P. Lathrop & Company, coal dealers, at 150 East Marshall Street, was entered some time Sunday by robbers, who attempted to break open the safe, which contained a considerable sum of money, but were unsuccessful.

Richmond Suffering from Epidemic of Forgeries.

Detective Charles A. Gibson returned from St. Louis late Sunday night with Charles F. Poole, the young white man arrested in that city for alleged forgery, who was charged with having forged a \$25 on his employer, Mr. H. C. Bliss, at the American National Bank. He is 22 years old and a native of Sumner, Mo.

MR. FITZWATER DROWNED IN SAVANNAH HARBOR

News was received in the city yesterday of the drowning in the Savannah harbor of a young man, George S. Fitzwater, son of the late Seaboard Air Line, who died at the age of 23.

Verdicts Against City.

In the Law and Equity Court yesterday Thomas B. and Z. M. Stung were each given a verdict of \$100 against the city of Richmond. The suit that they filed was for damages caused by an overflow of a culvert on their premises.

Passenger Arrested.

Mr. E. L. Hovestock was arrested early yesterday morning for refusing to pay his fare. He boarded a Laurel Street car going west from Seventh Street, and offered a blue transfer. When told by the conductor that the transfer was not good on that car, he refused to get on, and was taken to the Second Police Station, where he gave bail.

Academy of Medicine.

The regular meeting of the Richmond Academy of Medicine will be held at 8:30 o'clock to-night in the P. O. building. Dr. D. Coleman will read a paper on "Anesthesia in Obstetrics." "Intermittent Nephritis" will be Dr. Trimmer's subject, and Dr. S. H. Hovestock will show an exhibition of a patient recently operated upon for excision of Gasserian ganglion.